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COMMITTEE ON THE RIGHTS OF THE CHILD

Eleventh session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION

Concluding observations of the Committee on the Rights of the Child: Finland

1. The Committee considered the initial report of Finland (CRC/C/8/Add.22) at its 282nd to 284th meetings (CRC/C/SR.282-284), held on 23 and 24 January 1996, and adopted* the following concluding observations.

A. Introduction

2. The Committee expresses its appreciation to the Government of Finland for the submission of its initial report, which has been prepared in conformity with the Committee's guidelines, and for the submission by the State party of written replies to its list of issues (CRC/C.11/WP.6). It notes with satisfaction that the supplementary information provided by the delegation and its involvement in matters related to the Convention made it possible to engage in a frank and constructive dialogue with the State party.

B. Positive aspects

3. The Committee takes note with satisfaction that the Government provides a comprehensive social security system and a wide range of welfare services for the benefit of children and their parents, particularly free health care, free education, extended pregnancy leave rights and a large day-care system.

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* At the 287th meeting, held on 26 January 1996.

4. The Committee welcomes the State party's submission to its Parliament of a national child policy report with the aim of protecting the rights of children living under the jurisdiction of the State party fully implementing the provisions of the Convention and by reducing to the maximum extent the impact on children of the current economic recession.

5. The Committee notes the efforts by the Government in the field of law reform. It welcomes the amendment of the Constitution of Finland in 1995, which has since included human rights and children's rights fundamental principles. It welcomes the current discussions in Parliament concerning the future appointment of a children's rights ombudsperson. It also takes note of the current efforts to reform the Finnish Penal Code. Finally, it welcomes the recent government study on the impact of environmental issues on the life of children and the related measures undertaken.

6. The Committee also welcomes the Government's submission for ratification to the Finnish Parliament of the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption of 1993.

7. The Committee notes the long-standing efforts made by the State party in the field of international cooperation, although the Government, owing to the economic recession, has since 1990 temporarily reduced its budget allocation to development aid.

8. Finally, the Committee takes note of the State party's wish to circulate in the Parliament the summary records of the dialogue with the Committee members and the concluding observations of the Committee.

C. Factors and difficulties impending the implementation of the Convention

9. The Committee notes the difficulties facing Finland in the present period of structural change and economic recession. Decentralization and privatization policies, severe unemployment and State budgetary cuts have undoubtedly affected Finnish children, particularly the most vulnerable groups.

D. Principal subjects of concern

10. The Committee is worried about the impact on children of the difficult economic situation prevailing in the country, which resulting in budgetary cuts, and the existing trends towards decentralization and privatization. In this connection, it is particularly concerned as to whether appropriate measures have been undertaken to protect children, particularly those belonging to the most vulnerable groups, in the light of articles 3 and 4 of the Convention.

11. The Committee is concerned at the insufficient attention paid to the need for an efficient coordination mechanism, between various ministries, as well as between central authorities and local authorities (municipalities), in the implementation of comprehensive policies for the promotion and protection of the rights of the child.

12. The Committee is concerned at the absence of an integrated monitoring mechanism capable, inter alia, of supervising the effectiveness of decentralized and sometimes privatized social (health, education and social care) municipal policies and services for the most vulnerable groups of society, particularly single parent and poor families and disabled, refugee and minority children.

13. The Committee expresses its concern that the State party has not yet fully taken into account in its legislation and in its policies the general principles of the Convention, in particular non-discrimination (art. 2), the best interests of the child (art. 3) and respect for the views of the child (art. 12).

14. The Committee is concerned about the absence of a global information and dissemination strategy for the Convention on the Rights of the Child in the country. It is also worried that the Convention does not yet exist in all languages spoken by minorities residing in the State party.

15. In the light of articles 2 and 3 of the Convention, the Committee is worried about the increasing negative attitude in the society towards foreigners.

16. The Committee is worried by the State party's current shortage of facilities for the psychiatric treatment of children. This shortage may result in the non-separation of children from adults in psychiatric establishments. It is also concerned by the high rates of suicide and the increasing rates of drug abuse among youth.

17. The Committee is concerned about the need to improve the training of social workers through retraining programmes, in particular in relation to the full implementation of the participatory rights of the child, in the light of articles 3 and 12 of the Convention. It is also worried by the insufficient detection and prevention measures in the areas of sexual abuse and domestic violence.

18. The Committee is concerned by the recent increase of school drop-outs. In the light of article 30 of the Convention, it is also worried about the insufficient number of teachers capable of working with minority children.

19. The Committee is deeply concerned that appropriate, in particular legislative, measures have not yet been taken to forbid the possession of child pornography and the purchasing of sexual services from child prostitutes. It is also seriously concerned at the existence of sex telephone services accessible by children.

20. The Committee is concerned that the labour legislation does not appropriately protect children between the ages of 15 and 18 years.

E. Suggestions and recommendations

21. With respect to article 4 of the Convention, and in relation to the current difficult economic situation, the Committee emphasizes the importance of the allocation of resources to the maximum extent possible for the

implementation of economic, social and cultural rights of the child at both central and local levels, in the light of the principles of the Convention, in particular those of its articles 2 and 3 relating to non-discrimination and the best interests of the child.

22. The Committee recommends that the State party take further steps to strengthen the coordination between the different governmental mechanisms involved in human rights and children's rights, at both central and local levels, and to consider the establishment of a coordinating body or mechanism to harmonize sectoral activities and policies. It also recommends the State party to strengthen its cooperation with non-governmental organizations, including in relation to the implementation of the Committee's recommendations.

23. The Committee recommends that an integrated monitoring system or mechanism be established to ensure that all children in all municipalities benefit to the same extent from basic social services. The establishment of an independent monitoring mechanism, such as, for instance, an ombudsperson for children, is also recommended.

24. The Committee is of the opinion that greater efforts are required to make the provisions and principles of the Convention widely known and understood by adults and children alike, in the light of article 42 of the Convention. The Committee recommends that the Convention be translated into all languages spoken by minorities living in the State party. The Committee wishes to encourage the State party to develop further a systematic approach towards increasing public awareness of participatory rights of children, in the light of article 12 of the Convention.

25. To reduce the current increase in negative feeling and racism towards foreigners, the Committee recommends that the State party take all necessary measures, including information campaigns in schools and in society at large. Upon arrival in Finland, all unaccompanied children seeking refugee status should be promptly informed in their language of their rights.

26. The Committee recommends that periodic training and retraining programmes on the rights of the child be organized for professional groups working with or for children, especially social workers, but also teachers, law enforcement officials and judges, and that human rights and children's rights be included in their training curricula. It also recommends that in the areas of sexual abuse and domestic violence more systematic attention be given to detection measures and preventive policies.

27. The Committee recommends the State party take all appropriate measures to prevent mentally-ill children being institutionalized in the same facilities as adults. It also suggests that additional research be undertaken in the areas of suicide and drug abuse to improve the understanding of those phenomena and generate appropriate measures to deal efficiently with them.

28. The Committee encourages the State party to take all necessary measures to fight school drop-out and encourages the relevant authorities to undertake all appropriate measures to ensure that sufficient teachers for minority children are available in all regions of the country. In the spirit of the

United Nations Decade for Human Rights Education, the Committee also encourages the Government to give consideration to the incorporation of the rights of the child in the school curricula.

29. In the process of reforming the Penal Code, the Committee strongly recommends that the possession of child pornography materials and the purchase of sexual services from child prostitutes be made illegal. It also recommends that the State party take all appropriate measures to protect children from accessing sex telephone services and from the risk of being sexually exploited by paedophiles through these telephone services that can be accessed by anyone. Finally, the Committee recommends that measures be taken fully to protect professionals who report evidence of sexual abuse to the relevant authorities.

30. The Committee encourages the State party to revise its labour legislation for children between the ages of 15 and 18 years in the light of the relevant international standards, especially ILO Convention No. 138 and ILO Recommendation No. 146.

31. The Committee encourages the State party to disseminate widely the State party report, the summary records of the discussion of the report in the Committee and the concluding observations adopted by the Committee following its consideration of the report. The Committee would like to suggest that these documents be brought to the attention of Parliament and that the suggestions and recommendations for action contained therein be followed up in close cooperation with the non-governmental society.